



Secretary of the Air Force  
Office of Legislative Liaison

## CONGRESSIONAL HEARING RESUME

106th Congress, 1<sup>st</sup> Session

---

Date: 19 Oct 99

**SUBJECT:** Utah National Parks and Public Lands Wilderness Act

**COMMITTEE:** House Committee on Resources, Subcommittee on National Parks and Public Lands

**CHAIRMAN:** The Honorable **James Hansen** (R-1-UT)

**MEMBERS  
PRESENT:**

**REPUBLICANS**

Elton Gallegly (R-23-CA)  
John Duncan (R-2-TN)  
Joel Hefley (R-5-CO)  
Richard Pombo (R-11-CA)  
George Radanovich (R-19-CA)  
Walter Jones (R-3-NC)  
**Chris Cannon** (R-3-UT)  
Rick Hill (R-MT)  
**Jim Gibbons** (R-2-NV)  
Mark Souder (R-4-IN)  
**Don Sherwood** (R-10-PA)

**DEMOCRATS**

Carlos Romero-Barcelo (D-PR)  
Nick Rahall (D-3-WV)  
Bruce Vento (D-4-MN)  
Dale Kildee (D-9-MI)  
**D. Christian-Christensen** (D-VI)  
Ron Kind (D-3-WI)  
**Jay Inslee** (D-1-WA)  
**Tom Udall** (D-3-NM)  
**Mark Udall** (D-2-CO)  
**Joseph Crowley** (D-7-NY)

Bolded names: members who were present at the hearing

**WITNESSES:** **See Attached**

**Prepared by: Lt Col Denise A. Underwood Date: 19 Oct 99 Ext: 697-7114**

Information contained in this resume was obtained during an open hearing. It will not be released outside of the Department of Defense (DOD) agencies until published hearing transcripts have been released by the Committee, and only to the extent it is in accord with published hearing procedures.

**WITNESSES:**

**Panel 1:**

The Honorable Merrill Cook (R-2-UT)  
The Honorable Maurice Hinchey (D-26-NY)

**Panel 2:**

The Honorable Bruce Babbitt, Secretary of Interior  
The Honorable Micheal Leavitt, Governor of Utah

**Panel 3**

Carol Anderson - Mohave County Supervisors  
W. hays Gilstrap - Comissioner AZ Game and Fish  
Anthony Heaton - Rancher  
Joe Judd - Kane County Commissioner

**Panel 4**

Lee Allen - Box Elder Cty Commissioner  
Alan Gardner -Washington Cty Commissioner  
Chad W. Johnson - Beaver Cty Commissioner  
Steve Rush - UT Defense Alliance  
Mike Matz - Exec Director, Southern UT Wilderness Alliance

**Panel 5**

Teryl Hunsaker - Tooele Cty Commissioner  
Wm. Boyd Howarth - Juab Cty Commissioner  
La Var Cox - Millard Cty Commissioner  
Dennis Stowell - iron Cty Commissioner  
Cloyd Harrisen - Uintah Cty Commissioner  
Paula Plant - Appointee for Trustee Lands - UT

**Panel 6**

Glen Zumwalt - UT Shared Access Alliance  
Debbie Sease - Legislative Director, Sierra Club

**SUMMARY: CM James Hansen (R-1-UT) recently introduced legislation (HR 3035) to establish wilderness study areas (WSAs) in Utah. Some of these areas abut the Utah Test and Training Range (UTTR) and underlie military special use airspace. CM Hansen has included special provisions in HR 3035 to protect military interests in Utah. Today's hearing dealt with HR 3035 in general and did not focus on the military provisions. However, several witnesses offered commentary on these sections.**

**- Secretary of Interior, Mr. Babbitt, indicated that while he strongly supported the boundary and acreage provisions in HR 3035 (with a small exception for the Newfoundland and Rockwell areas), he could not support the bill as a whole. He described the military provisions as a major impediment and stated that the military provisions go beyond anything the Air Force has asked for in any other situation and give the AF unfettered authority. With regard to the provision allowing for restriction or exclusion of the public, he stated that the AF has never needed and has never asked for this type of provision before. In answer to a question from CM Gibbons, Secretary Babbitt indicated that the AF had written the military provisions in HR 3035 and he did not know what interests the AF was trying to protect. Secretary Babbitt went on to ask that the bill be referred to DoD and DOI for comment. He was hopeful that alternatives could be developed.**

**- Other testimony of note came from Mr Steve Rush from the UT Defense Alliance who made enthusiastic statements in support of UTTR. Mr Rush also indicated that there was a compatibility problem between military overflights and wilderness areas and suggested that the Air Force shared this view.**

**- Ms Debbie Sease from the Sierra Club indicated that they could not support HR 3035 because of acreage and management issues. She specifically highlighted the military provisions and indicated that they enlarged upon language used in the California Desert Protection Act. In particular the language in HR 3035 includes land use provisions (in addition to overflight) whereas the CA Desert Protection Act did not. She didn't see why the AF would need these provisions. Furthermore, the land use provisions allow any military activity in the WSAs as long as the military used existing roads.**

**Chairman Hansen called the hearing to order at 1000.**

## **PANEL 1**

### **CM COOK**

- Supports HR 3035. Is a co-sponsor
- Bill balances natural resource, military and other interests
- Well thought out compromise language. Security interests will be protected, water and grazing rights will be protected

### **CM HINCHEY**

- Has introduced separate WSA designation bill for same areas in UT
- Believes HR 3035 is too limited an approach

- Acreage in HR 3035 is insufficient
- Has serious concerns about prescriptive nature of military provisions. Would like to investigate need for the language. Believes overflights can be compatible with WSAs
- Sees conflict between military provisions and Wilderness Act

## **PANEL 2**

### **SECRETARY BABBITT**

- See Summary

### **GOV LEAVITT**

- Need to create a sense of certainty for the people of UT on the WSA issue
- Must move to make decisions in many contentious areas
- The west desert in UT is the best place to start with regard to WSAs because it has the smallest number of contentious issues
- Five things of note: (1) all areas examined (2) the bill blocks land into contiguous areas
- an ecosystem approach (3) every kind of wilderness represented (4) access was considered (5) UTTR - high priority to retain the integrity of the range
- Lands included in acreage are outstanding opportunities for solitude

## **PANEL 3**

### **TESTIMONY DEALT WITH ANOTHER BILL**

## **PANEL 4**

### **MR ALLEN**

- Many people from county work at Hill AFB. UTTR MOA covers most of the county
- Emphasized the value and uniqueness of UTTR to military training
- Discussed the importance of UTTR to economy of county and UT
- Concerned that the military be allowed to train and test their weapons in accordance with their needs
- Recognized need to temporarily restrict public access to wilderness and WSAs when national security or public safety at issue

### **MR RUSH**

- UTTR is irreplaceable asset
- Submitted maps prepared by the AF and indicated the AF uses them in briefings on WSA issue
- UTTR is the largest overland training area in the West
- Has been suggested that there is no compatibility problem - not so
- UTTR looks big on a map but barely large enough when flying over it
- Clearly a conflict between military operations and wilderness and WSAs
- Two separate needs: one for wilderness experience and one for training and testing activity
- F-16 overflying a wilderness area or WSA is not compatible
- Congress has given Air Force Weapons - need a place to train to use them

**MR JOHNSON**

- Overflight language must be retained in bill

**Q: (CM CANNON)** What kind of trade off between Defense needs and wilderness designation?

**A: (Mr Matz)** Historically (last ten years) there have been WSAs in and around UTTR. Doesn't perceive WSA designation as being incompatible with military activity

**Q: (CM Cannon)** What about flexibility needed s new weapon systems come online?

**A: (Mr Matz)** Air Force at Hill says they don't have any problems with way things set up

**CM Hansen.** Made comments on unique features of UTTR. AF needs to go low level. Indicated Sierra Club felt flights below 2000' are incompatible with wilderness and WSAs (Referred to ETI and fact that AF trying to sell idea that restrictions didn't hurt operations when pilots at Mt Home say opposite) Must have minimal restrictions on areas used by UTTR.

**PANEL 5**

**NO TESTIMONY ON MILITARY PROVISIONS**

**PANEL 6**

**Ms Sease**

- See summary above

**Chairman Hansen closed the hearing at 1555.**